

Ekwan E. Rhow (CA SBN 174604)
 Timothy B. Yoo (CA SBN 254332)
 BIRD, MARELLA, BOXER, WOLPERT, NESSIM,
 DROOKS, LINCENBERG & RHOW, P.C.
 1875 Century Park East, 23rd Floor
 Los Angeles, California 90067-2561
 Telephone: (310) 201-2100
 Facsimile: (310) 201-2110
 Email: erhow@birdmarella.com
 tyoo@birdmarella.com

Attorneys for Plaintiff
 WESTLAKE SERVICES, LLC d/b/a WESTLAKE FINANCIAL
 SERVICES

JASON D. RUSSELL (CA SBN 169219)
 DOUGLAS A. SMITH (CA SBN 290598)
 SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP
 300 South Grand Avenue, Suite 3400
 Los Angeles, California 90071-3144
 Telephone: (213) 687-5000
 Facsimile: (213) 687-5600
 Email: jason.russell@skadden.com
 douglas.smith@skadden.com

Attorneys for Defendant
 CREDIT ACCEPTANCE CORPORATION

UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

WESTLAKE SERVICES, LLC
 d/b/a WESTLAKE FINANCIAL
 SERVICES,

Plaintiffs,

v.

CREDIT ACCEPTANCE
 CORPORATION,

Defendant.

CASE NO: 2:15-cv-07490 SJO (MRWx)

**STIPULATION REQUESTING AN
 ORDER SHORTENING TIME FOR
 WESTLAKE'S MOTION TO
 COMPEL AND CREDIT
 ACCEPTANCE'S MOTION FOR
 EVIDENTIARY SANCTIONS
 UNDER LOCAL RULE 37-1**

Judge: Hon. S. James Otero
 Assigned to: Magistrate Judge Wilner

Complaint Filed: September 24, 2015
 FAC Filed: February 19, 2016

1 Plaintiff Westlake Services, LLC d/b/a Westlake Financial Services (“Westlake”)
2 and Defendant Credit Acceptance Corporation (“Credit Acceptance”) (collectively, the
3 “Parties”) stipulate as follows:

4 **WHEREAS**, the Parties had a telephonic hearing before this Court on February 21,
5 2017, to discuss, among other issues, (1) Westlake's request to compel production of
6 documents from additional custodians, and (2) Westlake's refusal absent cost shifting to
7 restore and search backup tapes from seven years during the relevant time period;

8 **WHEREAS**, per this Court's request, the Parties further met and conferred on the
9 above two issues on February 22, 2017, but were unable to broach the impasse on those
10 issues that had necessitated the February 21, 2017, teleconference;

11 **WHEREAS**, on March 8, 2107, Westlake filed its Motion to Compel Production of
12 documents and things (Dkt. No. 101) (“Motion to Compel”), and Credit Acceptance filed
13 its Motion for Evidentiary Sanctions against Westlake (Dkt. No. 99) (“Motion for
14 Evidentiary Sanctions”);

15 **WHEREAS**, under Local Rule 37-3, the earliest date on which the above Motions
16 could be heard before Magistrate Judge Wilner is March 29, 2017 at 9:30 a.m.;

17 **WHEREAS**, the extended fact-discovery cutoff is March 31, 2017;

18 **WHEREAS**, the Parties believe it is in the interest of both sides and the efficient
19 resolution of this matter that the above Motions should be heard more than 2-days before
20 the close of fact discovery, and therefore, the Parties desire to move the hearing date
21 forward by a week;

22 **IT IS STIPULATED AND AGREED**, by and between counsel for the undersigned
23 parties, that:

24 (1) The hearing date for Westlake’s Motion Compel (Dkt. No. 101) will be set for
25 March 22, 2017, at 9:30 a.m.

26 (2) The hearing date for Credit Acceptance’s Motion for Evidentiary Sanctions (Dkt.
27 No. 99) will be set for March 22, 2017, at 9:30 a.m.

1 (3) Any supplemental memoranda in support of the above motions as permitted by
2 Local Rule 37-2.3 will be due by no later than March 13, 2017.

3
4
5 Dated: March 9, 2017

BIRD, MARELLA, BOXER, WOLPERT,
NESSIM, DROOKS, LINCENBERG & RHOW,
P.C.

6
7
8 By: /s/ Timothy Yoo

9 Timothy B. Yoo
10 Attorneys for Plaintiff
11 WESTLAKE SERVICES, LLC d/b/a
12 WESTLAKE FINANCIAL SERVICES

13
14 Dated: March 9, 2017

SKADDEN, ARPS, SLATE, MEAGHER &
FLOM LLP

15
16 By: /s/ Douglas A. Smith

17 Douglas A. Smith
18 Attorneys for Defendant
19 CREDIT ACCEPTANCE CORPORATION
20
21
22
23
24
25
26
27
28